



TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION		Docket No.: 2004P02541US (SIE00355P00510US)
Applicant(s): Daniel Zuzuly et al.		
Serial No.:	10/786,319	Filing Date: February 25, 2004
Group Art Unit:	2863	Examiner: Hien Xuan Vo
Invention: System and Method for Providing Electrical System Monitoring and Diagnosis		

The owner\*, Siemens Energy & Automation, Inc. of 100% (One Hundred percent) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference Application Number 10/786,320** filed on February 25, 2004, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said **reference** application, "as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that: any such patent granted on the pending **reference** application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1.  For submission on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney of record.

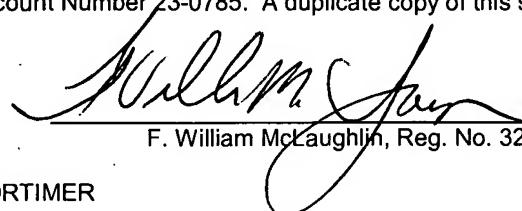
Terminal Disclaimer fee under 37 CFR 1.20(d) is enclosed in the amount of:  \$65.00 (small entity)  
 \$130.00 (large entity)

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 23-0785. A duplicate copy of this sheet is enclosed.

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130.00 UP

  
F. William McLaughlin, Reg. No. 32,273

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
Citigroup Center, Suite 3800  
500 West Madison Street  
Chicago, Illinois 60661  
312/876-1800

\* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP §324.

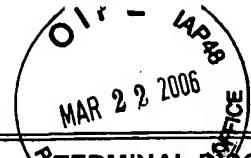


CERTIFICATE OF MAILING

I hereby certify that this Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Pending "Reference" Application, and any document referred to as being enclosed, is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on March 20, 2006.

Corinne Byk

Corinne Byk



**PATENT & TRADEMARK OFFICE  
TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENT REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket No.:  
2004P02541US  
(SIE00355P00510US)

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Serial No.:	10/786,319	Filing Date: February 25, 2004
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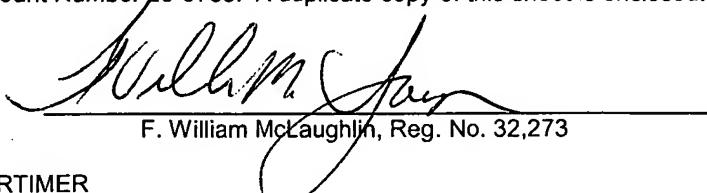
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F. William McLaughlin, Reg. No. 32,273

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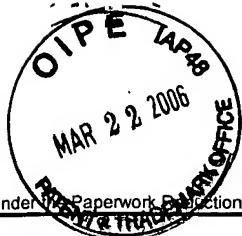
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Corinne Byk

Corinne Byk



PTO/SB/96 (12-05)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Siemens Energy & Automation, Inc.Application No./Patent No./Control No.: 10/786,319 Filed/Issue Date: February 25, 2004Entitled: System and Method for Providing Electrical System Monitoring and Diagnosis

Siemens Energy & Automation, Inc., a corporation  
(Name of Assignee) (Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a true copy of the original assignment is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

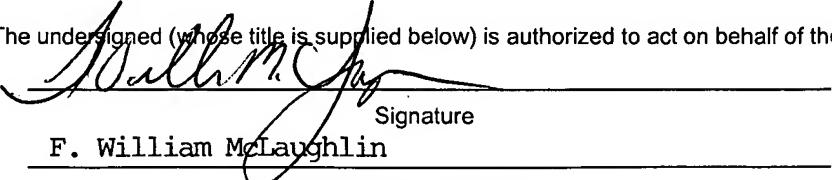
1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature

March 20, 2006

Date

312-876-1800

Telephone Number

F. William McLaughlin

Printed or Typed Name

Attorney, Reg. No. 32,273

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**ASSIGNMENT**

For good and valuable consideration, We, Daniel Zuzuly, residing at 120 Kane Street, Geneva, IL, 60134, Citizen of the U.S.A., Scott Mayhew, residing at 607 Pinewood Drive, North Aurora, IL, 60542, Citizen of U.S.A. and Scott Wakefield, residing at 89 Blackhawk Springs Drive, Plano, IL, 60545, Citizen of U.S.A., hereafter individually or collectively referred to as "Assignors";

Hereby sell, assign and transfer to Siemens Energy & Automation, Inc., a corporation organized and existing under the state laws of Georgia, having its principal place of business at 3333 Old Milton Parkway, Alpharetta, Georgia, 30005, hereinafter "Assignee", its successors, assigns and legal representatives, the entire right, title and interest in and for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned and filed with the United States Patent and Trademark Office on February 25, 2004, Serial No. 10/786,319 entitled:

**SYSTEM AND METHOD FOR PROVIDING ELECTRICAL  
SYSTEM MONITORING AND DIAGNOSIS**

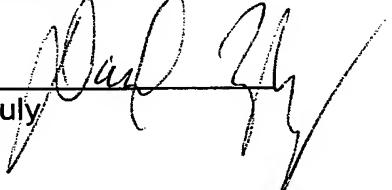
and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be filed in the United States and all foreign countries on said improvements;

The undersigned hereby authorizes and requests the attorneys of record in said application to insert in this assignment the date and serial number of said application;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and legal representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or legal representatives shall consider desirable for aiding in securing and

maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.



Daniel Zuzuly

State of ILLINOIS )  
County of KANE ) : ss

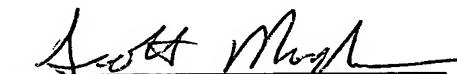
Before me this 25<sup>th</sup> day of FEBRUARY, 2004 personally appeared Daniel Zuzuly to me personally known to be the person who is described in and who executed the above instrument, and acknowledged to me that he executed the same of his own free will for the purpose therein set forth.

[Seal]




Kathleen L. Fletcher

Notary Public



Scott Mayhew

State of ILLINOIS )  
County of KANE ) : ss

Before me this 25<sup>th</sup> day of February, 2004 personally appeared Scott Mayhew to me personally known to be the person who is described in and who executed the above instrument, and acknowledged to me that he executed the same of his own free will for the purpose therein set forth.

[Seal]




Kathleen L. Fletcher

Notary Public

Scott Wakefield  
\_\_\_\_\_  
Scott Wakefield

State of ILLINOIS )  
                       ): ss  
County of KANE   )

Before me this 25<sup>th</sup> day of February, 2004 personally appeared Scott Wakefield to me personally known to be the person who is described in and who executed the above instrument, and acknowledged to me that he executed the same of his own free will for the purpose therein set forth.

[Seal]



Kathleen L. Fletcher  
\_\_\_\_\_  
Notary Public

Please return the recorded assignment to:

Elsa Keller, Legal Assistant  
Intellectual Property Department  
Siemens Corporation  
170 Wood Avenue South  
Iselin, New Jersey 08830  
Tel. No. (732) 321-3026